

## Brian D. Frey

Partner

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Brian Frey focuses his practice on representing financial institutions, major corporations, and individuals in white collar investigations involving a range of criminal and civil laws, including U.S. sanctions laws (IEEPA, TWEA), U.S. export controls laws (EAR, ITAR), anti-money laundering laws (AML), and the Foreign Corrupt Practices Act (FCPA). With more than 10 years of white collar investigation experience, including as a federal prosecutor at the U.S. Department of Justice, Brian brings a wealth of legal knowledge and sound judgment to his clients.

While at the DOJ, Brian handled all aspects of highly complex investigations principally focused on cross-border business and financial transactions implicating U.S. sanctions laws and the Bank Secrecy Act (BSA). Brian developed a command of analyzing the adequacy of corporate compliance programs in the context of relevant statutory and regulatory requirements.

Before his time at the DOJ, Brian spent eight years as an attorney within Alston & Bird's Litigation & Trial Practice Group. His practice was primarily focused on government and internal investigations of large companies in the financial and manufacturing industries for alleged civil and criminal violations of U.S. sanctions and export control laws and the FCPA. Brian also counseled corporate clients on developing robust compliance programs to reduce potential legal exposure related to these areas of the law.

### ***Representative Experience***

- Conducted an internal investigation and defended a manufacturing company against alleged civil and criminal violations of sanctions laws resulting in an eventual decision by the government to decline to take enforcement action against the company.
- Conducted an internal investigation and defended a manufacturing company against alleged civil and criminal export control violations tied to the nuclear energy industry.
- Conducted an internal investigation and defended a multinational bank against potential violations of sanctions laws related to alleged payments to Sudan, Iran, and Cuba.
- Conducted an investigation into a U.S. bank and a broker-dealer for potential violations of the Bank Secrecy Act and related offenses in connection with the apparent laundering of more than \$100 million in criminal proceeds through customer accounts.
- Conducted an investigation into a multinational bank for potential violations of sanctions laws and related offenses in connection with more than \$1 billion of U.S. dollar payment transactions tied to Sudan and Iran.
- Conducted an investigation into a financial institution for potential violations of sanctions laws and related offenses in the export of computing services.

### ***Publications & Presentations***

#### ***Publications***

- “Federal Bank Regulators Provide New Guidance on Bank Secrecy Act and Anti-Money Laundering Supervision,” *The Banking Law Journal*, LexisNexis, November/December 2019.
- “Sanctions Compliance Pitfalls for Banks,” *ABA Banking Journal*, October 24, 2019.
- “U.S. Sanctions and Risks to Brazilian Companies,” *O Estado de São Paulo*, August 10, 2019.
- “INSIGHT: Anti-Money Laundering Compliance Tips for Financial Tech Companies,” *Bloomberg Law*, April 22, 2019.
- “The FCPA and the Financial Industry: Understanding and Mitigating Risk,” *Journal of Taxation and Regulation of Financial Institutions*, Vol. 27, No. 5, May/June 2014.
- “In the Crosshairs: Federal FCPA Enforcement Lands on Wall Street’s Doorstep,” *Bloomberg BNA Banking Report*, June 18, 2013.
- “How Hedge Funds and Private Equity Firms Can Manage FCPA Risks,” The CLS Blue Sky Blog, Columbia Law School, May 1, 2013.

### **Presentations**

- Finance 411 - Lenders Beware: Money Laundering Issues in Commercial Lending Transactions, January 23, 2019.

### **Education**

- Georgetown University (J.D., 2007)
- University of Notre Dame (B.A., 2004)

### **Admitted to Practice**

- Maryland
- District of Columbia

### **Related Services**

Litigation | White Collar, Government & Internal Investigations | Foreign Corrupt Practices Act (FCPA) Violations | Government Ethics & Compliance | International Trade & Regulatory